

1 MELINDA HAAG (CABN 132612)  
United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)  
3 Chief, Criminal Division

4 KEVIN J. BARRY (CABN 229748)  
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055  
7 San Francisco, California 94102-3495  
Telephone: (415) 436-6840  
FAX: (415) 436-7234  
Email: kevin.barry@usdoj.gov

8 Attorneys for United States of America

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) NO. CR 14-0285 JST  
14 Plaintiff, )  
15 v. )  
16 ALICIA MITTS, ) STIPULATION AND [PROPOSED] ORDER  
17 Defendant. ) CHANGING HEARING DATE AND  
18 ) EXCLUDING TIME  
19 \_\_\_\_\_)

20 The Court set March 27, 2015 at 9:30 a.m. as the date for a change of plea hearing. The parties  
21 request that the Court move that date to April 24, 2015, to provide the parties additional time to consider  
22 a resolution. Specifically, Defendant has requested that the United States Attorney's Office consider her  
23 for the Court's diversion program. New defense counsel only recently received medical records she had  
24 requested that were critical to her presentation of Defendant's candidacy for diversion. Armed with that  
25 material, Defendant made her request for consideration on Friday, March 20, 2015. The government is  
26 currently considering Defendant's request.

1 Should the government and United States Pretrial Services accept Defendant into the Court's  
2 diversion program, the parties anticipate that the case will resolve through a plea agreement with  
3 diversion as a condition of the agreement. The requested date of April 24, 2015 has been cleared with the  
4 Court's Courtroom Deputy as one that is available for such a change of plea.

5 The parties also request that the Court exclude the period from the date of this Order through  
6 April 24, 2015, from the time limits of 18 U.S.C. § 3161 for the purposes of effective preparation. The  
7 preparation is necessary to address any concerns the government or United States Pretrial Services may  
8 have with respect to diversion and to review case materials. The parties agree that the ends of justice  
9 served by granting such an exclusion of time outweigh the best interests of the public and the defendant  
10 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

11  
12 SO STIPULATED:

13 MELINDA HAAG  
14  
15 DATED: March 26, 2015  
16  
17  
18 DATED: March 26, 2015  
19  
20  
21  
22 In addition to myself, the other signatory to this document is Camellia Baray. I attest that I have  
23 her permission to enter a conformed signature on her behalf and to file the document.  
24  
25 DATED: March 26, 2015  
26  
27  
28 STIPULATION AND [PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME  
CR 14-0285 JST, United States v. Alicia Mitts

\_\_\_\_\_  
/s/  
KEVIN J. BARRY

\_\_\_\_\_  
/s/  
CAMELLIA BARAY  
Attorney for ALICIA MITTS

Attestation of Filer

\_\_\_\_\_  
/s/  
KEVIN J. BARRY  
Assistant United States Attorney

1                   **[PROPOSED] ORDER**

2                 For the reasons stated above, the Court changes the change of plea hearing to April 24, 2015.

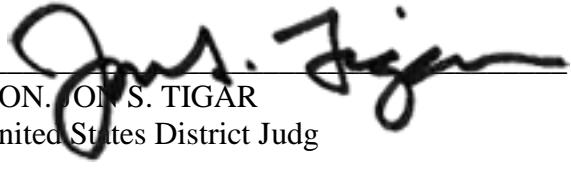
3                 The Court also excludes the period from the date of this Order through April 24, 2015, from the time  
4                 limits of 18 U.S.C. § 3161 for the purposes of effective preparation of counsel and continuity of counsel.  
5                 The ends of justice served by granting such an exclusion of time outweigh the best interests of the public  
6                 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

7

8                 IT IS SO ORDERED.

9

10               DATED: March 27, 2015

11                 
HON. JON S. TIGAR  
United States District Judge